

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MAXUS METROPOLITAN, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No: 20-cv-00095-FJG
)	
TRAVELERS PROPERTY CASUALTY)	
COMPANY OF AMERICA,)	
)	
)	
Defendant.)	

**PLAINTIFF MAXUS METROPOLITAN, LLC’S RESPONSE TO DEFENDANT’S
MOTION FOR STAY OF JUDGMENTS PENDING APPEAL**

Plaintiff Maxus Metropolitan, LLC (“Maxus”) does not oppose Travelers Property Casualty Company of America’s (“Travelers”) Motion for Stay of Judgments Pending Appeal, specifically because Travelers tendered partial payment of the judgment in the amount of \$5,812,042.33.

However, to make sure the record is clear, Maxus disagrees with Travelers’ claim that post judgment interest is not required to be included in a bond posted pending appeal. Travelers cites two nonbinding Eastern District of Missouri cases for its assertion that it need not include post judgment interest with the bond amount. To the contrary, this Court has included post-judgment interest in supersedeas bonds. *See e.g., Hopfinger v. Kidder Int’l, Inc.*, 827 F. Supp. 1444 (W.D. Mo. 1993); *Walter v. Clarion Mortg. Cap., Inc.*, No. 08-0536-CV-W-GAF, 2010 WL 1693062.

Nonetheless, the amount of the bond posted by Travelers, after subtracting the partial payment of \$5,812,042.33, adequately accounts for post judgment interest and therefore Maxus does not oppose Travelers’ Motion for Stay of Judgments Pending Appeal.

Dated: February 13, 2024

Respectfully submitted,

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